

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

3M INNOVATIVE PROPERTIES
COMPANY AND 3M COMPANY,

Civil No. 08-4960 (JRT/FLN)

Plaintiffs,

ORDER

v.

LOUIS M. GERSON CO., INC., AND
GERSON PROFESSIONAL
PRODUCTS, INC.,

Defendants.

This matter is before the Court upon letters submitted by Counsel for both plaintiffs and defendants regarding the word count limit that applies to the Markman filings. It is the opinion of this Court that the 12,000 word limit does apply and therefore, **IT IS HEREBY ORDERED** that defendants withdraw the September 18, 2009 response and file a new brief for which the word limit will be 12,000 words as required by the rule. To exceed the limit, counsel must request permission of the Court in the manner provided for by the rule.

DATED: October 6, 2009
at Minneapolis, Minnesota.

s/John R. Tunheim
JOHN R. TUNHEIM
United States District Judge